

Application No. 09/408,873

REMARKS

The FINAL Office Action of August 26, 2004 has been carefully considered. Reconsideration of this application, as amended, is respectfully requested. Claims 18, 20 and 25-42 are pending in this application. Of these, claims 18, 25, and 29 are independent claims. An Amendment mailed September 29, 2003 amended claims 1, 9, 18, 21 and 29. An Amendment faxed February 5, 2004, which was entered by filing an RCE faxed March 5, 2004, amended claims 18 and 29 and canceled claims 1-17 and 21-24. An Amendment faxed June 9, 2004 amended claims 18 and 29-30, canceled claim 19, and added new claims 31-42. This Amendment amends claim 26 to correct a typographical error.

1. Response to Rejection Under 35 USC 103 of Claims 18, 20, 29-35, and 38-42

The Office Action in sections 5-13 on pages 3-7 rejects claims 18, 20, 29-35, and 38-42 under 35 USC 103(a) as being unpatentable over Taylor et al., U.S. 6,493,469 (hereinafter referred to as "Taylor") in view of Chevrette et al., U.S. Patent 5,774,179 (hereinafter referred to as "Chevrette"). (For the record, the Office Action in section 11 on page 6 fails to complete the citation of the rejection of claims 32, 33, 39, and 40, and subsequent sections 12 and 13 on page 7 fail to discuss any additional reference. Applicant thus assumes for the purpose of discussion, section 11 should be omitted from consideration.)

Taylor discloses a dual video camera system for scanning hardcopy documents that assembles a composite image by patching together overlapping images. Chevrette discloses a method for fast microscanning that uses a movable focus lens. As more fully discussed in the Amendment mailed September 29, 2003, which discussion is incorporated herein by reference, microscanning involves moving a lens a distance a fraction of a pixel pitch to record a microscanned image.

Applicant respectfully submits that the combination of Taylor and Chevrette is misplaced because their combination fails to disclose or suggest Applicant's claimed invention. Applicant (in part) claims in independent claims 18 and 29 a plurality of cameras that *simultaneously* record a plurality of camera images, where at least one camera has an offset lens. Microscanning disclosed by Chevrette does not concern the *simultaneous* scanning of images, instead it concerns the movement of a lens a distance to record each microscanned image.

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Further, Applicant submits that the combination of Taylor and Chevrette instead produces a dual camera system in which two microscanning cameras record overlapping images. Once recorded, the overlapping images may be assembled as a composite image as described in Taylor. However, such a combination fails to teach the *simultaneous* recording of a plurality of views as claimed by Applicant in independent claims 18 and 29.

Thus (assuming there exists some motivation or teaching to combine the teachings of Taylor and Chevrette) the combination of Taylor and Chevrette fails to disclose or suggest as claimed by Applicant in independent claims 18 and 29 producing a composite image of an area using *simultaneously* recorded images that are recorded with a plurality of cameras, where at least one of the cameras has an offset lens that produces an oblique field of view of the portion it records of the area.

Accordingly, Applicant respectfully submits that independent claims 18 and 29 are patentably distinguishable over Taylor in view of Chevrette. Insofar as claims 20, 30-35, and 38-42 are concerned, these claims depend from one of now presumably allowable independent claims 18 or 29 and are also believed to be in allowable condition.

2. Response to Rejection Under 35 USC 103 of Claims 25-28 and 36-37

The Office Action in sections 14-17 on pages 7-10 rejects claims 25-27 under 35 USC 103(a) as being unpatentable over Anderson US 6,657,667 B1 (hereinafter referred to as "Anderson") in view of Chevrette et al., U.S. Patent 5,744,179 (hereinafter referred to as "Chevrette"). In addition, the Office Action sets forth a response to Applicant's prior arguments in section 2 on pages 2-3 of the Office Action.

As set forth on page 8, lines 14-16, of the Office Action, "Anderson does not disclose a camera wherein the lens is positioned at an offset position within a plane substantially orthogonal to an optical axis of the lens", as claimed by Applicant in independent claim 25. Chevrette discloses a method for fast microscanning (as discussed above with reference to independent claims 18 and 29), where a *lens* is moved a distance to record each microscanned image. Instead, Applicant's invention recited in independent claim 25 describes a *camera* that rotates to allow a lens of the camera to record two different views within a plane that is substantially

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orthogonal to the optical axis of the camera.

Applicant respectfully submits that (assuming there exists some motivation or teaching to combine the teachings of Anderson and Chevrette) the combination of Anderson and Chevrette instead describes a method for capturing overlapping images using a camera that records microscanned images while rotating about an axis that is *substantially perpendicular* to the optical axes of the moving (microscanning) lens. Such an arrangement fails to disclose or suggest Applicant's claimed arrangement recited in independent claim 25 in which a first view of an area is recorded within a plane *substantially orthogonal* to an optical axis of the lens while the camera is at a first position; and recording a second view of the area while the lens is positioned at the offset position *within the plane after the camera is rotated to a second position*.

Accordingly, Applicant respectfully submits that independent claim 25 is patentably distinguishable over Anderson taken singly or in combination with Chevrette. Insofar as claims 26-27 are concerned, these claims depend from now presumably allowable independent claim 25 and are also believed to be in allowable condition.

Further, the Office Action in sections 18-19 on pages 10-11 rejects claim 28 under 35 USC 103(a) as being unpatentable over Anderson in view of Chevrette, in further view of Kang et al., US 6,256,058 B1 (hereinafter referred to as "Kang"). Also, the Office Action in sections 20-21 on pages 11-12 rejects claims 36 and 37 under 35 USC 103(a) as being unpatentable over Anderson in view of Chevrette, in further view of Ejiri et al., US Patent No. 6,104,840 (hereinafter referred to as "Ejiri").

Reconsideration and withdrawal of the rejections of claim 28 over Anderson taken singly or in combination with Chevrette further in view of Kang, and claim 36 and 37 over Anderson taken singly or in combination with Chevrette and further in view of Ejiri, are also respectfully requested. There is no need to specifically address the merits of these claims because they depend from claim 25 which is clearly patentable for the reasons set forth above.

3. Fee Authorization And Extension Of Time

No additional fee is believed to be required for this amendment or response, however, the undersigned Xerox Corporation attorney hereby authorizes the

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charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

4. Conclusion

In view of the foregoing remarks, reconsideration of this application and allowance thereof are earnestly solicited. In the event the Examiner considers a personal contact advantageous to the disposition of this case, the Examiner is hereby requested to call Attorney for Applicant(s), Thomas Zell.

Respectfully submitted,

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